

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

UNITED STATES OF AMERICA AND
THE UNITED STATES VIRGIN ISLANDS,

Plaintiffs,

v.

HOVENSA LLC, LIMETREE BAY
REFINING, LLC AND LIMETREE BAY
TERMINALS, LLC

Defendants.

CIVIL NO. 1:11-CV-00006

MOTION TO WITHDRAW AS
COUNSEL FOR LIMETREE BAY REFINING, LLC.

Undersigned counsel, Law Offices of Douglas L. Capdeville, P.C., hereby moves to withdraw as counsel for Defendant, LIMETREE BAY REFINING, LLC. (hereinafter "LBR") on the grounds that said Defendant's assets were sold in the bankruptcy proceedings below to owners that are unaffiliated with Limetree Bay Terminals, Inc. and LBR was reorganized as an entity owned by these new owners.¹ In further support of this motion, counsel submits the following:

1. Counsel filed his Notice of Appearance on August 26, 2020, on behalf of Limetree Bay Refining, LLC and Limetree Bay Terminals, LLC.
2. On July 12, 2021, Limetree Bay Refining (LBR) and its debtor affiliates filed for bankruptcy in the United States bankruptcy Court for the Southern District of Texas in jointly administered cases captioned *In Re Limetree Bay Services et al.*, 21-32351 (Bankr. S.D.T.X). On January 21, 2022, substantially all of LBR's assets were sold at bankruptcy

¹ Undersigned counsel continues to serve as counsel for Limetree Bay Terminals, Inc. d/b/a Ocean Point Terminals, LLC in this litigation.

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auction with approval from the Bankruptcy Court to West Indies Petroleum Limited and Port Hamilton Refining and Transportation, LLLP. The Bankruptcy Court subsequently approved the Chapter 11 Plan of Liquidation of LBR and its debtor affiliates. *In Re Limetree Bay Services LLC et al.*, 21-32351, Dkt. 1454 (May 20, 2022 Bankr. S.D.T.X). Among other things, the Chapter 11 Plan reorganized LBR as the Transition Refinery Entity and transferred 100% of the equity ownership in Transition Refinery Entity to West Indies Petroleum Limited and Port Hamilton Refining and Transportation, LLLP.

3. Undersigned Counsel does not represent either West Indies Petroleum Limited nor Port Hamilton Refining and Transportation, LLLP and has not been retained by either party to represent the Transition Refinery Entity.

4. On November 15, 2022, the United States of America filed a motion to substitute West Indies Petroleum Limited, Port Hamilton Refining and Transportation, LLLP, and Transportation Refinery Entity, LLC for Limetree Bay Refining, LLC in *USA v. Limetree Bay Refining, et al.*, 1:21-cv-00264-WAL-EAH, Docket 23-1.

WHEREFORE, based on the foregoing, undersigned counsel respectfully requests that he be permitted to withdraw as counsel for Limetree Bay Refining, LLC.

Respectfully submitted,
Law Offices of Douglas L. Capdeville, P.C.

DATED: June 22, 2023

/s/ Douglas L. Capdeville
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 2023, the foregoing **MOTION TO WITHDRAW AS COUNSEL FOR LIMETREE BAY REFINING, LLC.** was filed with the Clerk of the Court via the Court's ECF/CMF system that will send electronic notice to:

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/s/Douglas L. Capdeville